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COMDTINST 12300.6J
OCT 19 2000

COMMANDANT INSTRUCTION 12300.6J

Subj: EMPLOYMENT OF RETIRED COAST GUARD MILITARY MEMBERS AND
MILITARY RETIREES WHO HAVE WORKED FOR THE DEPARTMENT OF
TRANSPORTATION (DOT)

- PURPOSE.** This Instruction sets Coast Guard policy on appointment of retired Coast Guard military personnel, and certain other retired military personnel, to civilian positions in the Coast Guard.
- ACTION.** Area and district commanders, commanders of maintenance and logistics commands, commanding officers of Headquarters units, assistant commandants for directorates, Chief Counsel, and chiefs of special staff offices at Headquarters shall ensure compliance with the provisions of this directive.
- DIRECTIVES AFFECTED.** Employment of Retired Coast Guard Military Members and Military Retirees Who Have Worked for the Department of Transportation (DOT), COMDTINST 12300.6I, is canceled.
- COVERAGE.** This Instruction applies to all civilian positions in the Coast Guard paid from appropriated funds, except when appointed for a period of 120 days or less to a position that is not the same or substantially the same as held during military service. All extensions, reappointments beyond 120 days, or conversions to permanent appointments are covered by this Instruction. Policy for Nonappropriated Fund (NAF) positions is covered by the Coast Guard Nonappropriated Fund Personnel Manual, COMDTINST M12271.1(series).
- DISCUSSION.** Retired Coast Guard military members and other retired military members recently detailed or assigned to the Department of Transportation (DOT) have a right to seek and be

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considered for Federal civilian employment. However, the Service must be scrupulous and exemplary in applying the merit principle of open competition when considering such retired military personnel for employment. Such considerations shall be extended equitably and in compliance with the merit system principle of open competition to avoid both the practice and appearance of preferential treatment. This is essential not only in the interest of the public and of career employees, but to protect retired members from unwarranted allegations that they obtained their positions through influence based upon prior Coast Guard or other recent military service on behalf of the DOT.

6. POLICY.

- a. To ensure the protection and considerations discussed in paragraph 5 are met, this Instruction precludes the appointment of retired Coast Guard military members to civilian positions within the Coast Guard within 180 days of their retirement from military service. Similarly, it precludes the appointment of any retired military member under these same conditions when the retired member has been detailed or assigned to any component of DOT within the past year.
- b. It is Coast Guard policy that selections be made from among the best qualified candidates available. Appointing officials must ensure that consideration is extended to retired military members of the Coast Guard or other military services meeting the conditions described in paragraph 6.a. above, on an equitable basis and that there is strict compliance in spirit and in procedure with the fundamental merit system principle of open competition.
- c. Commands may apply for a waiver of these instructions by following the procedures below.

7. APPROVAL REQUIREMENTS.

- a. Within the 180-Day Period Following Retirement. Retired Coast Guard military members and retired members of other military services who have been detailed or assigned to any component of DOT within the past year may be appointed to civilian positions in the Coast Guard during the 180-day period immediately following retirement when the proposed appointment is authorized by Commandant (G-WPC).
- b. After the 180-Day Period Following Retirement. Waivers are also required after the 180-day period when:
 - (1) A waiver for the same selectee was previously requested and denied at the same command and for the same position which was not otherwise filled.
 - (2) A retired Coast Guard military member or other retired military member meeting the conditions of paragraph 7.a. above was recalled to active duty at a command which

subsequently desires to appoint the member as a civilian employee within 180 days of the release from recall.

- c. Exceptions. Approvals as indicated in paragraphs 7.a. and 7.b. above are not required if a state of national emergency exists, or if the position lasts no longer than 120 days.
- d. Disapproval at Lower Levels. A request can be disapproved at lower levels than required for approval, including disapproval by Commander (CGPC-cpm) and Commandant (G-WPC-1).
- e. Members Currently on Active Duty and Reservists Who Have Not Yet Retired. After being approved for appointment to a civilian position, a retiring military member should be able to demonstrate his or her availability for work within 45 days. Additionally, prolonged delays in requesting waivers may be viewed as holding the position open for a military member, and may result in denial of the request. Existing policy governing advance notification by Coast Guard officers (6 to 12 months) and enlisted members (6 to 24 months) to request military retirement remains unchanged.

8. DOCUMENTATION.

- a. Preparation for Approval. Documentation as indicated in enclosure (1) is initiated by the selecting official; (2) endorsed by the area or district commander, commander of a maintenance and logistics command, commanding officer of a Headquarters unit; or by a Headquarters Flag/SES-level official if the request covers a Headquarters position; (3) then forwarded through Commander (CGPC-cpm) to (4) Commandant (G-WPC). Each signature certifies that selection is consistent with all provisions of this Instruction. Both Commander (CGPC-cpm) and Commandant (G-WPC) shall review the documentation for consistency with the criteria in paragraph 9 whenever any applicable retired military member is proposed for appointment.
- b. Following Approval. Once approved, appointees must be documented, following appropriate procedures, as military retirees in the Civilian Personnel Management Information System (CIVPMIS). This will enable management to retrieve reporting information from an automated data base.

9. CRITERIA FOR EVALUATING PROPOSED APPOINTMENTS. Requests will be evaluated by Commander (CGPC-cpm), and by the approving authority, Commandant (G-WPC), to ensure the following criteria are observed:

- a. The vacancy was well publicized and recruitment was conducted over a sufficiently long period of time to give all interested parties an opportunity to apply;

- b. Full consideration, in accordance with applicable Government-wide, DOT, and other placement and promotion requirements, was given to other applicants, as well as to individuals entitled to special placement consideration;
- c. Qualification requirements for the position are totally relevant to the work to be done and were not established in such a manner as to give advantage to a particular individual;
- d. Recruitment for the position was timely and not delayed, or the position held open, in order to provide a retiring member of the uniformed services with a preferential opportunity to apply or be appointed.

Encl: (1) Documentation Required to Accompany Requests

REQUEST TO HIRE RETIRED MILITARY MEMBERS

Directions: The required information is to be completed by the selecting official working in cooperation with the servicing Command Staff Advisor (CSA). This must be completed whenever requesting to hire a retired Coast Guard military member or other retired military members recently detailed or assigned to the Department of Transportation (see COMDTINST 12300.6J). **The following signatures are required: (1) the request of the selecting official; (2) endorsement by the area or district commander, commanders of maintenance and logistics commands, commanding officers of Headquarters units, or by a Headquarters Flag/SES-level official if the request covers a Headquarters position; (3) the CSA and (4) other approving officials are to be recorded below. Each signature certifies that full and fair competition was provided, and that the selectee has not been accorded any undue advantage over other applicants.**

REQUEST, ENDORSEMENT AND APPROVALS

Official	Signature	Date
Selecting Official		
Endorsement of the Commander of an area, district, or maintenance & logistics command, Commanding Officer of a Headquarters unit, or Flag/SES official if HQ employee.		
Command Staff Advisor		
Commander (CGPC-cpm)		
Commandant (G-WPC)		

Please attach the following items to this request:

1. Copies of the proposed appointee's:
 - a. job application or resume;
 - b. DD-214 or retirement letter with approved retirement date, or documentation showing a planned or expected retirement date.
2. Copies of:
 - a. the position description;
 - b. vacancy announcement(s);
 - c. all certificates of eligibles and requests which contain selective factors.
3. Please answer the following:
 - a. When was the position vacated _____ or, if new or redescribed, when was the position established or redescribed? _____

Enclosure (1) to COMDTINST 12300.6J

- b. If applicable, indicate whether the position was converted from military to civilian status and reason for any such conversion.

- c. Did the proposed appointee previously occupy this position or a position substantially the same as the civilian position under consideration (i.e., the majority of the duties were substantially the same and both positions were in the same command or location)? Circle either: Yes No.

If "Yes," give the dates of occupancy _____.

4. Please indicate the number of qualified or well-qualified merit promotion candidates who were NOT offered this job. Employees considered eligible by VEOA appointment should NOT be included in counts of "status" applicants.

Type of Merit Promotion Candidate	No. Qualified or Well-Qualified Not Offered this Position
Non-Coast Guard Status Candidates	
Coast Guard Status Candidates	
Coast Guard 180-Day Retired Military Candidates	

5. Include a statement indicating the presence or absence of appropriately qualified registrants or applicants under a Coast Guard, departmental, or Federal-wide placement program, and the reason(s) for their nonselection.
6. Include a brief justification for the proposed selection.